

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

R. WAYNE JOHNSON,

Petitioner,

v.

RICK THALER,
Director, Texas Dep't of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:10-CV-041

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
DENYING MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS,

Petitioner has filed with this Court a form petition for a writ of habeas corpus. On February 14, 2012, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that (i) petitioner's application to proceed *in forma pauperis* be denied, (ii) the petition for a writ of habeas corpus be dismissed, and (iii) petitioner be sanctioned. On February 24, 2012, the Court received petitioner's objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the application to proceed *in forma pauperis* is DENIED. The petition for a writ of habeas corpus filed by petitioner is DISMISSED. Sanctions are imposed as set forth in the Sanction Order issued this same day.

IT IS SO ORDERED.

ENTERED this 27th day of February 2012.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE